

**ORIGINAL**

DTC2 Rec'd PCT/PTO 08 OCT 2004

FORM PTO-1390 (REV. 01-2003)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER
				Le A 36 031
				U.S. APPLICATION NO. <small>If known, see 37 CFR 1.5</small> <b>107510908</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				
INTERNATIONAL APPLICATION NO. <b>PCT/EP03/03327</b>	INTERNATIONAL FILING DATE <b>31 March 2003</b>		PRIORITY DATE CLAIMED <b>11 April 2002</b>	
TITLE OF INVENTION <b>Aqueous Formulations of (2-Hydroxymethyl-Indanyl-4-Oxy)-Phenyl-4,4,4-Trifluorobutane-1-Sulfonate</b>				
APPLICANT(S) FOR DO/EO/US <b>Kühn et al.</b>				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
<p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: <b>1) Certificate of Mailing under 37 C.F.R. 1.10;</b>  <b>2) Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b);</b>  <b>3) Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein; and</b>  <b>4) Return Receipt Postcard.</b></p>				

ORIGINAL

10-510908

U.S. APPLICATION NO. 510908 INTERNATIONAL APPLICATION NO.  
PCT/EP03/03327ATTORNEY'S DOCKET NUMBER  
Le A 36 03121.  The following fees are submitted:**BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO..... \$ 1080.00

International preliminary examination fee (37 CFR 1.482) not paid to  
USPTO but International Search Report prepared by the EPO or JPO ..... \$ 920.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO  
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$ 770.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$ 730.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO  
and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT =****CALCULATIONS PTO USE ONLY**

\$ 950.00

Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(e)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	10 - 20 =	0	x \$18.00	\$ 0.00
Independent claims	2 - 3 =	0	x \$ 86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$ 290.00	\$

**TOTAL OF ABOVE CALCULATIONS =**

\$ 950.00

Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above  
are reduced by 1/2.

+

**SUBTOTAL =**

\$ 950.00

Processing fee of \$130.00 for furnishing the English translation later than 30 months  
from the earliest claimed priority date (37 CFR 1.492(f)).

\$

**TOTAL NATIONAL FEE =**

\$ 950.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be  
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$

**TOTAL FEES ENCLOSED =**

\$ 950.00

	Amount to be refunded:	\$
	charged:	\$

- a.  A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b.  Please charge my Deposit Account No. 13-3372 in the amount of \$ 950.00 to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- c.  The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any  
overpayment to Deposit Account No. 13-3372. A duplicate copy of this sheet is enclosed.
- d.  Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card  
information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a)  
or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO: Customer No. 35969

**Jeffrey M. Greenman**  
**Bayer Pharmaceuticals Corporation**  
**400 Morgan Lane**  
**West Haven, CT 06516**

  
SIGNATURE

Susan M. Pellegrino

NAME

48,972

REGISTRATION NUMBER

10/510908

Rec'd PCT/PTO 08 OCT 2004

Attorney's Docket No. Le A 36 031

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Kühn, et al.

Serial No.: [to be assigned] National Stage Filing of PCT/EP03/03327

Filed: herewith

For: **Aqueous Formulations of (2-Hydroxymethyl-Indanyl-4-Oxy)-Phenyl-4,4,4-Trifluorobutane-1-Sulfonate**

**MAIL STOP PCT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- Application Data Sheet under 37 C.F.R. 1.76;
- Preliminary Amendment;
- Original oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4));
- English Translation of the Application (35 U.S.C. 371(c)(2));
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein;
- Return Receipt Post Card;
- Other:

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ED015985955US addressed to:

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

October 8, 2004.....  
Date

.....Signature of Person Certifying / Susan Pellegrino.....